IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION

Appeal No. 529 of 2005
In
Notice of Motion No. 3533 of 2004
In
Suit No. 30 of 2004
In
Petition No. 130 of 2002

Mrs. Sangeeta Poorbanderwala and Anr. .. Appellants
V/s.
Mrs. Shobhana Sahadev Shah and Ors. .. Respondents

Mr. Pravin Diwan i/b. Mr. N.A. Mahto for the Appellants
Mr. Shyam Diwan, Sr. Counsel with Ms. Alpana Ghone and Ms. Lata Bachani i/b. M/s. I.R. Joshi & Co. for the Respondents

CORAM : DR. S. RADHAKRISHNAN &
S.C. DHARMADHIKARI, JJ.
DATED : 04.10.2005.

P.C.:-

1. Heard the learned counsel for the Appellants and the Respondents. By this Appeal, the Appellant is challenging the order dated 28.4.2005 passed by the learned Single Judge by way of an interlocutory order in a Notice of Motion. The learned Single Judge has rightly observed that the Appellant could not point out any changed circumstances, since the identical relief was sought earlier before another Single Judge, wherein the learned Single Judge had declined to grant such a relief, hence as there was no changed circumstances, the present Notice of Motion came to be dismissed. Hence, we do not find any error in the impugned order, hence the Appeal stands dismissed.

2. Needless to state that all the issues raised by the

Appellant are kept open, the same can be decided at the

final hearing of the above Petition. Appellant is at liberty to take out appropriate Notice of Motion in the above Administration Suit.

(DR. S. RADHAKRISHNAN, J.)

(S.C. DHARMADHIKARI, J.)